

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Atty Dkt. 249-243

C# M#

DTOS Rec'd PCTPTO

12 SEP 2002

SHITARA, K. et al.

Group Art Unit: Unassigned

Serial No. 10/009,723

Examiner: Unassigned

Filed: December 17, 2001

Date: September 12, 2002

Title: DIAGNOSTIC AGENT AND THERAPEUTIC AGENT FOR DISEASE RELATED TO
MONOCYTE AND MACROPHAGEAssistant Commissioner for Patents
Washington, DC 20231

Sir:

RESPONSE/AMENDMENT/LETTER

This is a response/amendment/letter in the above-identified application and includes an attachment which is hereby incorporated by reference and the signature below serves as the signature to the attachment in the absence of any other signature thereon.

Fees are attached as calculated below:

Total effective claims after amendment 0 minus highest number
previously paid for 20 (at least 20) = 0 x \$ 18.00 \$ 0.00

Independent claims after amendment 0 minus highest number
previously paid for 3 (at least 3) = 0 x \$ 84.00 \$ 0.00

If proper multiple dependent claims now added for first time, add \$280.00 (ignore improper) \$ 0.00

Petition is hereby made to extend the current due date so as to cover the filing date of this
paper and attachment(s) (\$110.00/1 month; \$400.00/2 months; \$920.00/3 months) \$ 0.00

Terminal disclaimer enclosed, add \$ 110.00 \$ 0.00

☐ First/second submission after Final Rejection pursuant to 37 CFR 1.129(a) (\$740.00) \$ 0.00
☐ Please enter the previously unentered , filed
☐ Submission attached

Subtotal \$ 0.00

If "small entity," then enter half (1/2) of subtotal and subtract -\$ 0.00
☐ Applicant claims "small entity" status. ☐ Statement filed herewith

Rule 56 Information Disclosure Statement Filing Fee (\$180.00) \$ 0.00

Assignment Recording Fee (\$40.00) \$ 0.00

Other: Response; Copy of Notification of Defective Response (8/28/02); Copy of Post Card Receipt
(4/12/02); Copy of Notification of Missing Requirements (2/12/02); Copy of Cover Sheet, Amendment,
Statement and Sequence Listing (4/12/02) 0.00

TOTAL FEE ENCLOSED \$ 0.00

The Commissioner is hereby authorized to charge any deficiency, or credit any overpayment, in the fee(s) filed, or asserted to be filed, or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Account No. 14-1140. A duplicate copy of this sheet is attached.

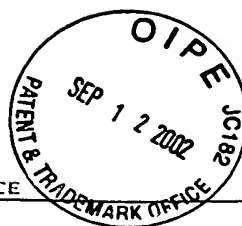
1100 North Glebe Road, 8th Floor
Arlington, Virginia 22201-4714
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Facsimile: (703) 816-4100
BJS:plb

NIXON & VANDERHYTE P.C.
By Atty: B. J. Sadoff, Reg. No. 36,663

Signature: 



UNITED STATES PATENT AND TRADEMARK OFFICE



Commissioner for Patents, Box PCT
 United States Patent and Trademark Office
 Washington, D.C. 20231
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/009,723	Kenya Shitara	249-243

INTERNATIONAL APPLICATION NO.

PCT/JP00/03957

I.A. FILING DATE

06/16/2000

PRIORITY DATE

06/17/1999

Nixon & Vanderhye
 1100 North Glebe Road 8th Floor
 Arlington, VA 22201-4714

CONFIRMATION NO. 6052

371 FORMALITIES LETTER



OC000000008695438

Date Mailed: 08/28/2002

NOTIFICATION OF DEFECTIVE RESPONSE

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as an Elected Office (37 CFR 1.495):

- U.S. Basic National Fee
- Priority Document
- Assignee Statement
- Biochemical Sequence Diskette
- Biochemical Sequence Listing
- Copy of IPE Report
- Copy of references cited in ISR
- Copy of the International Application
- Copy of the International Search Report
- Information Disclosure Statements
- Oath or Declaration
- Preliminary Amendments
- Request for Immediate Examination

DATES DOCKETED

Response
 DUE Sept 28, 2002 (F)
 C/U Sept 21, 2002
pat mss

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

Applicant is required to complete the response within a time limit of ONE MONTH from the date of this Notification or within the time remaining in the response set forth in the Notification of Missing Requirements, whichever is the longer. No extension of this time limit may be granted under 37 CFR 1.136, but the period for response set in the Notification of Missing Requirements may be extended under 37 CFR 1.136(a).

The following items **MUST** be furnished within the period set forth below:

- The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 CFR 1.821-1.825 for the following reason(s):

- RAW SEQUENCE LISTING ERROR REPORT

- APPLICANT MUST PROVIDE:

- An initial or substitute paper copy or compact disc of the "Sequence Listing," as well as an amendment directing its entry into the specification.

- For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
 - To Purchase PatentIn Software, call (703) 306-2600
 - For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

FREDERICK SMITH

Telephone: (703) 305-3654

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/009,723	PCT/JP00/03957	249-243



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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SHITARA, K. et al.

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For: DIAGNOSTIC AGENT AND THERAPEUTIC AGENT FOR DISEASE RELATED
TO MONOCYTE AND MACROPHAGE

* * * * *

September 12, 2002

Assistant Commissioner for Patents
Washington, DC 20231

Sir:

RESPONSE

Responsive to the Notification of Defective Response dated August 28, 2002, (copy attached) the applicants request clarification as to what further may be required as the Notification of Defective Response dated August 28, 2002 was received with a copy of the Sequence Listing Error Report dated January 14, 2002, which has not taken into account the applicants Sequence Listing submitted with the Amendment of April 12, 2002.

The Amendment and Sequence Listing filed April 12, 2002 were filed in response to the Notification of Missing Requirements dated February 12, 2002 (copy attached) which included the Error Report dated January 14, 2002.

A further copy of the undersigned's submission of April 12, 2002, with a copy of the Post Card Receipt from the same are attached as evidence of the previous filing. The

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Serial No. 10/009,723

Office is requested to notify the undersigned as to what further may be required and allow further time for responding to any such further requirements.

Respectfully submitted,

NIXON & VANDERHYE P.C.



By: _____

B. J. Sadoff
Reg. No. 36,663

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